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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,065	07/11/2000	Wayne Ihde	ADAPP136	1393

7590
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01/28/2004

EXAMINER

BATTAGLIA, MICHAEL V

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 01/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/614,065

Applicant(s)

IHDE, WAYNE

Examiner

Michael V Battaglia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11-18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,6 and 12-14 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,7-9,11,15-18,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claims 1-2, 4-9, 11-18, and 20-21 are pending.

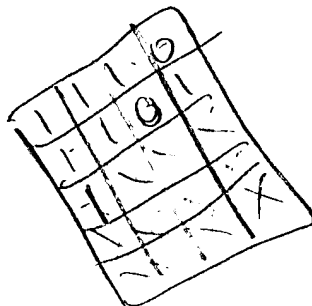
Claim Rejections - 35 USC § 102

1. Claims 1-2, 7-9, 11, 15, 17-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al (hereafter Ito) (US 6,160,778).

In regard to claims 1, 9, and 17, Ito discloses a method for verifying sectors on an optical disc, comprising: writing user data located on a system buffer to unverified sectors of the optical disc; verifying the unverified sectors of the optical disc by reading the user data on the unverified sectors of the optical disc; and comparing the user data read from the unverified sectors of the optical disc with user data stored on a system buffer to determine whether any one of the unverified sectors having user data is defective, the verifying of the unverified sectors establishing verified sectors having user data (Col. 18, lines 24-62); verifying a bitmap area on the optical disc; and writing a bitmap to the bitmap area, wherein the bitmap tracks and determines which sectors of the optical disc have been verified (Col. 19, lines 41-44 and 46-48). The examiner notes that the bitmap area of Ito is part of the file system area and is verified when the file system area is verified and that the bit map tracks which sectors have been verified for the reasons stated below in the response to arguments section.

In regard to claims 2, 11, and 18, Ito discloses verifying a file system area on the optical disc and writing a file system to the file system area, wherein the file system is a data structure for locations of the user data on the optical disc (Col. 19, line 56 - Col 20, line 8).

In regard to claim 7, Ito discloses sparing user data contained on a defective sector (Col. 4, lines 59-61).



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In regard to claim 8, Ito discloses updating the file system after the user data has been moved to a different sector of the optical disc in the sparing operation (Col. 15, lines 37-48).

In regard to claims 15 and 20, Ito discloses updating the bitmap after the sectors of the optical disc have been verified (Col. 19, lines 35-64).

Claim Rejections - 35 USC § 103

2. Claims 4, 16, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito in view of Brown et al (hereafter Brown) (US 5,337,197).

Ito discloses a method for verifying sectors of an optical disc comprising verifying a bitmap area on the optical disc and writing a bitmap to the bitmap area, wherein the bitmap tracks and determines which sectors of the optical disc have been verified and updating the bitmap after the sectors of the optical disc have been verified as claimed in claims 1, 9, 15, 17, and 20. Ito does not disclose deleting the bitmap after verification of the optical disc is complete.

Brown discloses a method for verifying sectors of a disc and writing a directory consistency block on the disc that contains location information for unverified sectors (Col. 2, lines 43-46). The directory consistency area is interpreted as a bitmap that tracks verified sectors of the optical disc because in Brown's method, data is verified after it is written (Col. 2, lines 26-27) and the directory consistency block tracks verified sectors of the disc by containing information about the sectors to be updated, which are the unverified sectors of the disc (Col. 2, lines 43-46). After the unverified sectors have been verified, the directory consistency block is deleted (Col. 2, lines 51-54). Furthermore, as does the bitmap in the current invention, the presence or absence of the directory consistency block on the disc indicates the verification status of the disc (Col. 3, lines 6-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to delete the bitmap in the method of Ito after the sectors of the disc have been verified as suggested by Brown; the motivation being to indicate the verification status of the disc.

Allowable Subject Matter

3. Claims 5-6 and 12-14 are allowable over the prior art of record for the reasons set forth in the previous Office action.

Response to Arguments

4. The examiner notes that any of the applicant's arguments not mentioned below have been fully considered and are persuasive. Therefor, any corresponding objections and/or rejections have been withdrawn.

5. Applicant's arguments, see page 9, line 12-page 11, line 5, filed December 8, 2003, with respect to the rejection of claims 1-3, 7-11, 15, and 17-20 under 35 U.S.C. §102(e) as being anticipated by Ito have been fully considered but they are not persuasive. The applicant asserts that Ito only teaches the tracking of skipped areas and not the tracking of verified sectors. As noted by the applicant, Ito teaches a file management creation section that sets a "0" for skipped areas and a "1" for used areas. The examiner interprets the file management creation section as a bitmap area and the used areas, which are not defective, as verified sectors. Ito teaches the tracking of verified sectors in a bitmap area because the verified sectors are marked with a "1".

6. Applicant's arguments, see page 11, lines 7-13, filed December 8, 2003, with respect to the rejection of claims 4, 16, and 21 under 35 U.S.C. §103(a) as being anticipated by Ito in view of

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Brown have been fully considered but they are not persuasive because they are based upon the unpersuasive argument that Ito no longer meets the independent claims.

7. Applicant's arguments, see page 11, lines 15-19, filed December 8, 2003, with respect to claims 5-6 and 12-14 have been fully considered and are persuasive. The objection to claims 5-6 and 12-14 has been withdrawn and the claims are allowable over the prior art of record for the reasons specified in the previous Office action.

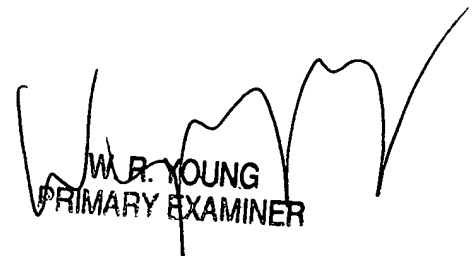
Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



Michael Battaglia



W. R. YOUNG
PRIMARY EXAMINER